

# Order

Michigan Supreme Court  
Lansing, Michigan

May 25, 2007

Clifford W. Taylor,  
Chief Justice

131987

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

DAWN MARIE MILLER,  
Plaintiff-Appellant,  
and

DEPARTMENT OF COMMUNITY HEALTH,  
Intervening Plaintiff,

v

SC: 131987  
COA: 259504  
Washtenaw CC: 02-000284-NF

PROGRESSIVE CORPORATION,  
PROGRESSIVE CASUALTY INSURANCE  
COMPANY, PROGRESSIVE CLASSIC  
INSURANCE COMPANY, and PROGRESSIVE  
MICHIGAN INSURANCE COMPANY,  
Defendants,  
and

CITIZENS INSURANCE COMPANY OF  
AMERICA,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the July 20, 2006 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other peremptory action. MCR 7.302(G)(1). The parties shall submit supplemental briefs within 42 days of the date of this order addressing whether the plaintiff is "named in the policy" within the meaning of MCL 500.3114(1) where the policy states "The Declarations, endorsements and application are hereby incorporated into and made a part of this policy" but the Declarations sheet effective February 2, 2001, which lists the plaintiff as an occasional driver, is preceded by a clause stating "Your Policy Premium Is Based On The Following Information Which Is Not Part Of The Policy." The parties should not submit mere restatements of their application papers.

Persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 25, 2007

*Corbin R. Davis*

Clerk